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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,031	09/05/2003	Takaaki Ota	50M2895.02	8470

7590 11/01/2006

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EXAMINER

PHILIPPE, GIMS S

ART UNIT PAPER NUMBER

2621

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/656,031

Applicant(s)

OTA, TAKAAKI

Examiner

Gims S. Philippe

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 19-21, 23-25 is/are rejected.
- 7) ☒ Claim(s) 17, 18 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

This is a first office action in response to application no. 10/656,031 filed on September 5th 2003 in which claims 1-25 are presented for examination.

Specification

1. The disclosure is objected to because of the following informalities: The serial number S/N on line 5 of page 1 of the Specification is missing.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-16, 19-21 and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Schiefer et al. (US Patent no. 6177922).

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Regarding claims 1, 8 and 20, Schiefer discloses the same method and display device including clock recovery for recovering a system time clock reference from a video bit stream generated at an encoder to produce a decoder system clock frequency, and a decoding system for decoding and decompressing the video bit stream at a frame rate, and an adaptive clock mechanism for decoding system (See Schiefer col. 4, lines 48-61). The method and device comprising means for extracting from the video bit stream attributes of a video format transmitted via the bit stream (See col. 7, lines 45-62), selecting means, cooperatively linked with the decoding system, for selecting a modifier from a group of modifiers based on format attributes derived from the video bit stream (See col. 7, lines 66-67, col. 8, lines 1-21), and modifying means, cooperatively linked with the selecting means and the decoding system, for modifying a synchronization timing parameter of the decoding system with the selected modifier prior to decoding the video bit stream (See col. 8, lines 28-41 and col. 9, lines 7-19).

As per claim 2, Schiefer further applies the selected modifier to a system clock frequency provided by the clock recovery system (See Schiefer col. 9, lines 64-67 and col. 12, lines 1-5). In addition the synchronization timing

As per claims 3, 5-6, 21, 24, and 25, Schiefer further discloses software routine, ratios of frame rates, a frame rate applied to the decoder and modifying the system clock reference (See col. 11, lines 64-67 and col. 12, lines 1-50).

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As per claims 4 and 23, Schiefer provides PPLs 730 and 740 in fig. 7.

As per claims 9-10, Schiefer further discloses encode pixel rate, line rate and frame rate for the input video bitstream (See col. 4, lines 47-67 and col. 5, lines 1-32).

As per claims 11 and 13, see the rejection of claims 1 and 8.

As per claim 12, 15, 16 and 19, Schiefer proposes a modifier proportional to ratios of values of frame rates (See col. 12, lines 6-34).

As per claim 14, the multiplication function is disclosed in Scheifer col. 12, lines 22-34).

4. Claims 17, 18 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Elsmore et al. (US Patent no. 4683469) teaches display terminal having multiple character display formats.

Kim (US Patent no. 6028641) teaches device and method for generating a stable system clock in HDTV.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S. Philippe whose telephone number is (571) 272-7336. The examiner can normally be reached on M-F (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dastouri S. Mehrdad can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Gims S Philippe
Primary Examiner
Art Unit 2621

GSP

October 28, 2006